

United States District Court**for the****Eastern District of Washington**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**May 19, 2021**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Richard Allen Counts, III

Case Number: 0980 1:16CR02038-MKD-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Mary K. Dimke, U.S. Magistrate Judge

Date of Original Sentence: November 2, 2016

Original Offense: Felon in Possession of Firearm, 18 U.S.C. § 922(g)(1) and 924(a)(2)

Original Sentence: Prison - 46 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Ben Seal

Date Supervision Commenced: May 24, 2020

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: May 23, 2023

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1

Standard Condition #2: After initially reporting to the probation office, you will receive instructions from the Court or the probation officer about how and when to report to the probation officer, and you must report to the probation officer as instructed.**Supporting Evidence:** Mr. Counts is alleged to have violated standard condition number 2, by not reporting as directed on May 19, 2021.

Mr. Counts conditions of supervised release were reviewed with him on May 28, 2020. He signed and acknowledged an understanding of his conditions including the standard condition as noted above.

On May 5, 2021, Mr. Counts attended a Sobriety Treatment and Education Program (STEP) Court session. At the conclusion of STEP Court, Mr. Counts signed a status report that directed him to report on May 19, 2021, at 10:30 a.m for his next STEP Court session. Mr. Counts was a no show for STEP Court and is not responding to this officer's attempts to contact him.

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Re: Counts, III, Richard Allen

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Standard Condition #13: You must follow the instructions of the probation officer related to the conditions of supervision.

Supporting Evidence: Mr. Counts is alleged to have violated special condition number 13, by not being available for a home visit on May 18, 2021, as directed.

Mr. Counts conditions of supervised release were reviewed with him on May 28, 2020. He signed and acknowledged an understanding of his conditions including the standard condition as noted above.

On May 17, 2021, Mr. Counts was informed that this officer would be completing a home visit at his residence on May 18, 2021, to monitor his terms of supervised release. Mr. Counts stated he would be home all day and that probation is more than welcome at his residence.

On May 18, 2021, this officer attempted to contact Mr. Counts at his residence at 9:55 a.m. and 1:13 p.m. On both occasions this officer knocked on his door and windows for several minutes. This officer also attempted to call Mr. Counts in an attempt to have him open the door to his residence and Mr. Counts failed to respond. As of the writing of this report, Mr. Counts' whereabouts is unknown.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 19, 2021

s/Phil Casey

Phil Casey
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other
X Defendant to appear before the Magistrate Judge.

M. K. Dink



Signature of Judicial Officer

5/19/2021

Date